

MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
MAG REGIONAL COUNCIL EXECUTIVE COMMITTEE

August 16, 2010

MAG Offices, Cholla Room  
302 N. 1<sup>st</sup> Avenue, Phoenix, Arizona

MEMBERS ATTENDING

Mayor Thomas L. Schoaf, Litchfield Park,  
Chair  
# Mayor Hugh Hallman, Tempe, Vice Chair  
Mayor Marie Lopez Rogers, Avondale,  
Treasurer

Mayor Jim Lane, Scottsdale  
Mayor Michael LeVault, Youngtown  
Councilwoman Peggy Neely, Phoenix  
Mayor Scott Smith, Mesa

\* Not present

# Participated by video or telephone conference call

1. Call to Order

The Executive Committee meeting was called to order by Chair Schoaf at 12:09 p.m. He noted that the addendum to the agenda and the consultant bios were at each place. Chair Schoaf stated that public comment cards were available for those members of the public who wish to comment. Transit tickets were available from Valley Metro for those using transit to come to the meeting. Parking validation was available from MAG staff for those who parked in the parking garage.

2. Call to the Audience

Chair Schoaf noted that, according to the MAG public comment process, members of the audience who wish to speak are requested to fill out the public comment cards. He stated that there is a three-minute time limit. Public comment is provided at the beginning of the meeting for items that are not on the agenda that are within the jurisdiction of MAG, or non-action agenda items that are on the agenda for discussion or information only. Chair Schoaf noted that no public comment cards had been received.

3. Consent Agenda

Chair Schoaf noted that prior to action on the consent agenda, members of the audience are provided an opportunity to comment on consent items that are being presented for action. Following the comment period, Committee members may request that an item be removed from the consent agenda. Chair Schoaf noted that no public comment cards had been received.

Chair Schoaf requested a motion to approve the consent agenda. Mayor Lane moved to approve items #3A and #3B. Mayor LeVault seconded the motion and the motion carried unanimously.

3A. Approval of the July 19, 2010 Executive Committee Meeting Minutes

The Regional Council Executive Committee, by consent, approved the July 19, 2010, Executive Committee meeting minutes.

3B. Amendment to the FY 2011 MAG Unified Planning Work Program and Annual Budget to Accept Funding from the U.S. Department of Housing and Urban Development (HUD) for Human Services Coordination of a Study on the Impact of Housing and Services for Homeless Families

The Regional Council Executive Committee, by consent, approved the amendment of the FY 2011 MAG Unified Planning Work Program and Annual Budget to accept funding from the Department of Housing and Urban Development (HUD) to conduct a study on the impact of housing and services for homeless families that increases the FY 2011 MAG UPWP by an amount up to \$20,000 and for MAG to enter into a Memorandum of Understanding with Abt Associates, Inc. The FY 2011 MAG Unified Planning Work Program and Annual Budget (UPWP) was approved by the MAG Regional Council on May 26, 2010. Recently, MAG was notified by HUD that they would like for MAG to conduct a study in the MAG region on the impact of housing and services for homeless families working with Abt Associates, Inc. This study will be one year in length, beginning September 1, 2010 and ending August 31, 2011. Total funding awarded will be based on the total number of families enrolled in the study in an amount up to \$20,000. This item is to approve an amendment to the FY 2011 MAG UPWP increasing the budget for the award by an amount up to \$20,000, and for MAG to enter into a Memorandum of Understanding with Abt Associates, Inc.

4. MAG Office Space Update

Dennis Smith stated that MAG and the City of Phoenix have been meeting to discuss the terms of the office space and parking lease. He reported that MAG is ready to proceed with the lease and that the item should be on the Phoenix City Council agenda in September. Mr. Smith stated that MAG would be acquiring the fourth floor for office space and turning the second floor into meeting room space. He noted that the negotiated cost per square foot on the lease is \$18.00, which is a substantial reduction in what they are currently charging MAG. Mr. Smith noted that all parking arrangements have been worked out and this will be a ten year lease with an option to renew after the ten years.

Chair Schoaf thanked Mr. Smith and stated that this item was on the agenda for information only.

5. Formation of a MAG Joint Planning Advisory Council Working Group

Denise McClafferty updated the Executive Committee on the discussions of the Subcommittee for the Formation of a JPAC Working Group. She noted that at the July 19, 2010 Executive Committee meeting, the motion was to approve forming a subcommittee of the Executive Committee to discuss the formation of a MAG JPAC Working Group and to return to the Executive Committee with a recommendation for the composition of the working group. Ms. McClafferty stated that the subcommittee met prior to this meeting and the highlights of the discussion included a more focused effort of the MAG JPAC working group; to foster discussions with all players, including the private sector, economic development organizations and rail; and to bring parties together and educate each other. She stated that the subcommittee created a list of potential members to be contacted to determine their interest in serving on the MAG JPAC Working Group. This list included:

- 1) Councilwoman Peggy Neely, Phoenix, Chair
- 2) Mayor Marie Lopez Rogers, Avondale
- 3) Mayor Scott Smith, Mesa
- 4) Mayor Jim Lane, Scottsdale
- 5) (west valley member agency)
- 6) Jim Rounds, Elliott Pollack & Company, VP & Senior Economist
- 7) Jeffrey Simmons, Ryley Carlock, Transportation Attorney
- 8) Mary Peters, HDR, ADOT Consultant
- 9) Representative from Thunderbird
- 10) WESTMARC
- 11) East Valley Partnership
- 12) Steve Betts, ULI. GPEC Board member
- 13) Greater Phoenix Leadership (GPL)
- 14) Joseph Stewart, Chairman, JP Morgan Chase Bank

Chair Schoaf thanked Ms. McClafferty for the report and the subcommittee for their work. He asked if the Subcommittee looked at defining the individuals on this group by position or process. Councilwoman Neely stated that the subcommittee did not. She noted that the thought process began with a representative from the Central City, East Valley and West Valley. She stated that we will need to make that two representatives for the East Valley and West Valley. Councilwoman Neely stated that it is important to get the resources that are valuable to this committee. She noted that a starting point is to first talk to the recommended members to see if there is interest. The subcommittee agreed on a group of 10 to 12 members is a good size. Councilwoman Neely stated what was defined is the five elected officials for the MAG member agencies and the importance of working with the business community. She noted that we would like to create a working group that has special knowledge and resource, as well as a special interest. Councilwoman Neely noted that this is a passionate issue for her and asked that the Executive Committee consider allowing her to chair the working group. Chair Schoaf stated that he would support Councilwoman Neely chairing the working group. He also noted the importance of a process in forming the committee, as well as the importance of having discussions with potential members to be sure they are interested.

Mayor Hallman agreed that developing a process in forming the committee is important. He also agreed on the importance of having people that have a passion for the subject and that if we have members that lack that passion, things may not get done. Mayor Lopez Rogers suggested that Chair Schoaf sit on this working group as the seconded west valley elected official. Chair Schoaf requested that the subcommittee go back and look at the process and determine the appropriate individuals to sit on this working group. He noted that we also want to look at the long-term and how this group will function as we move forward.

#### 6. Consultant for Air Quality Communications and Intergovernmental Assistance

Dennis Smith reported that there are some important air quality deadlines ahead beginning with September 3, 2010, which is when the Environmental Protection Agency (EPA) would propose action on the consent decree for the MAG Five Percent Plan for PM-10, with a schedule of finalizing the action by January 28, 2011. He noted that at the July 2010 Regional Council meeting, the FY 2011 MAG Unified Planning Work Program and Annual Budget (UPWP) was amended to provide up to \$500,000 of funding for legal advice and experts. Mr. Smith stated that MAG issued a Request For Qualifications (RFQ) and received eight proposals. He noted that there was a proposal

review group of six members, three from the MAG staff and one each from the cities of Glendale, Mesa and Phoenix. Mr. Smith noted that two firms were interviewed, Crowell Moring and Patton Boggs. He noted that it was a very hard decision to choose between the two firms because each has specific areas of expertise. Mr. Smith stated the review team is recommending Crowell Moring, but would like the option to use Patton Boggs in the future. He explained that Crowell Moring has significant connections with and knowledge of the EPA, and Patton Boggs has contacts with California and experience working on Capitol Hill.

Mayor Smith asked the nature of the debate. He noted that they are very different firms. Mayor Smith noted his concern of taking an overly technical approach to this problem, which is a political issue. He noted that he believes the EPA is using a technical process to advance a political agenda. Mayor Smith stated that he supports the review team's decision, but hopes that as we move forward, emphasis is put on both the technical and political sides. Mr. Smith stated it is very common for firms like this to work together. Councilwoman Neely stated that everything is political. She agreed that we should engage both firms. Mayor Smith stated he agrees and wants to make sure that this is a balanced approach. Chair Schoaf noted his concern regarding engaging Patton Boggs at the proper time. Mr. Smith suggested modifying the action to retain Patton Boggs as needed for additional assistance.

Mayor Hallman moved to approve the selection of Crowell Moring to serve as a consultant for Air Quality Communications and Intergovernmental Assistance in an amount to be negotiated, and to also retain Patton Boggs as needed for additional assistance. Mayor Smith seconded the motion and the motion carried unanimously.

10. Discussion of the TIGER II Grant Applications and a Request From the City of Surprise for a Partnership Agreement for the Grand Avenue Corridor TIGER II Planning Grant Program

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Dennis Smith stated that requests for support of TIGER II applications are beginning to arrive at MAG. He noted that we do not have a formal process for this. Mr. Smith stated the way we currently handle these requests is by looking to see if the requested project is in the TIP or the Plan. He explained that these funds are above and beyond the funds that are coming to the state. Mr. Smith stated MAG received a request to serve as project manager for the City of Surprise and their consortium for the enhanced Alternatives Analysis for the Grand Avenue Corridor project, should the grant be awarded. He explained that if there is a project that is not in the TIP or Plan and an applicant is successful in being awarded TIGER II funds, eventually it would need to be incorporated into the MAG TIP. Mr. Smith also reported on a small inland port project by Wickenburg. He noted that they are working with the Arizona/California Railroad. Mr. Smith noted that this is an opportunity for the committee to see the kinds of projects that are coming through at MAG. Councilwoman Neely stated that she supports this effort. She requested that the City of Phoenix be removed from the Grand Avenue Corridor TIGER II grant application until they have time to review and take a position. Mayor Lopez Rogers asked because there are multiple applications, will the applications be diminished because they are competing for the same funds. Mr. Smith stated that they are competing for the same money and the projects are not prioritized like they are in other regions. Mr. Smith noted that a letter from MAG is supporting the members efforts. Mayor Smith asked if there might be a situation where one of these TIGER II projects might have an inadvertent negative impact on some other program MAG is doing. Mr. Smith reported that there may be a situation where a TIGER II project is put before MAG's prioritized projects. Chair Schoaf asked if there were any other comments. There were none.

Councilwoman Neely moved to approve recommending that MAG participate in the TIGER II grant application for the enhanced Alternatives Analysis for the Grand Avenue corridor and serve as Project Manager if the grant is awarded. Mayor Hallman seconded the motion and the motion carried unanimously.

7. Update on Exceptional Events and MAG Five Percent Plan for PM-10

Mayor Hallman requested that the Executive Committee begin with executive session. Chair Schoaf asked if there was a motion to go into executive session. Scott Holcomb, MAG General Counsel, stated that the agenda reflects that the committee may go into executive session to receive legal advice and discuss legal strategy.

Mayor Hallman moved that the Executive Committee go into executive session to receive legal advice. Mayor LeVault seconded the motion and the motion carried unanimously. The Executive Committee went into executive session at 12:41 p.m. The Executive Committee reconvened regular session at 1:18 p.m.

8. Request for Future Agenda Items

Chair Schoaf asked if there were any requests for future agenda items. There were none.

9. Comments from the Committee

Chair Schoaf asked if there were any comments for the committee members. There were no comments.

Adjournment

Mayor Lane moved to adjourn the Executive Committee meeting. Mayor LeVault seconded the motion and it carried unanimously. There being no further business, the Executive Committee adjourned at 1:19 p.m.

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Chair

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Secretary